

IN THE JUSTICE OF THE PEACE COURT OF
THE STATE OF DELAWARE, IN AND FOR N.C. COUNTY
COURT NO. 13

PLAINTIFF

Wilmington Housing Authority
c/o Lauren Hudecki, Esq.
1000 W. Street 17th floor
Wilmington, De. 19801

v.

CIVIL ACTION: JP13-09-006581

DEFENDANT

Linda James
2800 Tatnall Street, Apt #H
Wilmington, De. 19802

ORDER

Trial de Novo held June 23, 2009. Plaintiff Wilmington Housing Authority present, represented by Lauren Hudecki, Esq. Defendant Linda James, pro se.

Plaintiff sued for possession of the residential unit located at 2800 Tatnall Street, Apt H in Wilmington, Delaware, and \$814.00 in unpaid rent. Defendant argues that her rent should have been adjusted to a lower amount due to her part-time work hours. Plaintiff's witness Pamela Clark stated that the only request for a rent adjustment came after the Landlord sent termination notices in February and March. It was determined that her previous rental payment of \$360.00 would be reduced to \$334.00 beginning June 1, 2009. She also testified that the tenant's rent was calculated based on information received from her employer. According to the Tenant

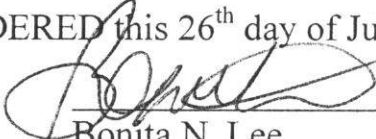
(2)

Transaction History, Ms. James has not had a "zero" balance since February 2009. Proper notices of lease termination were sent for the unpaid rent and each notice advised the tenant of her right to a grievance hearing, but none was requested.

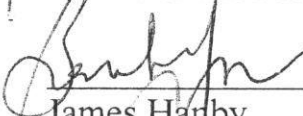
It is not under the purview of this Court to recalculate the monthly rent charged by Wilmington Housing Authority. There are established guidelines and policies that govern these determinations. Tenant asserts that she has a commitment, from a social service agency to help with a substantial portion of the back rent; however she is required to provide the balance. No documentation of this commitment was provided to the Court.

After considering the testimony and evidence presented by the parties, the three-judge panel is persuaded that the Plaintiff is entitled to relief requested. Therefore, Judgment is awarded in favor of the Plaintiff Wilmington Housing Authority and against Defendant Linda James in the amount of \$814.00 plus \$40.00 court costs, and possession. Rent will continue to accrue at \$11.83 per diem until possession is restored to the Landlord.

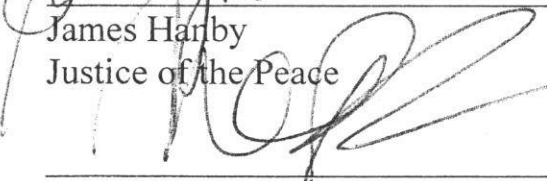
IT IS SO ORDERED this 26th day of June, 2009.



Bonita N. Lee
Justice of the Peace



James Harby
Justice of the Peace



Nancy C. Roberts
Justice of the Peace